

MINUTES
PROTECTION & WELFARE COMMITTEE
Monday, November 14, 2016
City Hall, Room 207
3:00 p.m.

MEMBERS PRESENT: Chairperson Ald. Scannell, Vice Chairperson Ald. Dorff,
Ald. Galvin, Ald. Zima

MEMBERS EXCUSED: None

MEMBERS ABSENT: None

OTHERS PRESENT: Asst. City Atty Kristen Johnson, Captain Brad Florence, Ald. Tom
De Wane, Ald. Mark Steuer, Ald. David Nennig

1. Roll Call.

The meeting was called to order Chairman Scannell at 3 p.m.

2. Approval of the Agenda.

Moved by Ald. Dorff, seconded by Ald. Zima to approve the agenda as
presented. Motion carried.

3. Consideration with possible action on an application for a "Class B" Combination
License by Jessica Rowe, LLC at 106 S. Broadway. (Formerly Red Restaurant)

There were no objections from the Police Department.

There were no objections for the City Attorney's Office.

Ald. Galvin motioned to open the floor, Ald. Dorff seconded. Motion carried.

Jessica Rowe- 1801 Ninth St. of Green Bay, WI

Ald. Galvin asked if the establishment would be primarily about food or being a
bar. Rowe stated food.

Rowe stated her past experience was as a Kitchen Manager at Champions in
Green Bay and a sous Chef at the Tundra. She also owned a business in
Florence County and ran a bar in Spread Eagle, Wisconsin. Her parents had also
owned a bar, and she has been doing this since she was 14 years old.

Rafael Suarez- 1801 Ninth St. of Green Bay, WI

Rafael Suarez stated he has 35 years of kitchen experience. He was a former
kitchen manager in the Packer's District for approximately 7 years. He has lived
in Wisconsin for 12 years and had a lot of experience coming from Mexico,
Cancun.

Ald. Barb Dorff asked what Cheves meant, referring to the establishment's trade name Cheves & Grill. Suarez said it is slang for spirits and beers. It means you can come in and eat and drink.

Ald. Scannell described the next steps in the process. The committee would make a recommendation and the final authority would be with the City Council Nov. 15.

Jessica Rowe thanked the committee for having the special meeting and extended an invitation to visit the place.

Motion made by Ald. Dorff, seconded by Ald. Galvin to return to regular order of business. Motion carried.

Motion made by Ald. Zima to approve, seconded by Ald. Dorff. Motion carried unanimously.

4. Consideration with possible action on an application for an available "Class B" Combination License by CH Bar, LLC at 301 S. Broadway. (Formerly The Crunchy Frog)

City Attorney's Office recommends denial.

Asst City Attorney Johnson passed out a conviction record from the Municipal Court for a disorderly house conviction.

Captain Florence stated his application had a disorderly house in 2011, but based on in-house records, there was a discrepancy as how the name was filed.

The application only lists one infraction in 2011.

Florence located a disorderly house conviction from 2009, 2011 and 2013. In 2010, there was an infraction for no licensed operator on site. In 2007, there was an infraction for serving an underage person and permitting an underage person to loiter. In 2006, there was an infraction for permitting an underage person to loiter in tavern. In 2005, there was an infraction for serving an underage person and underage person to loiter.

Ald. Galvin asked the names of the establishments.

Florence stated they all had the same address of 718 Bodart St. They had various names including Cocos, Club 720 and most recently, La Cueva.

Ald. Zima asked the nature of the last two disorderly houses.

Florence said the one in 2011 involved a large disturbance where a weapon was displayed by one of the disturbers. It started inside and then spilled outside. Several arrests were made and several officers responded. Through the course of the investigation several underage people were cited and determined to have come from that business.

Asst City Attorney Johnson discussed the 2013 incident, which started with a bouncer being punched in the face and a beer bottle was hit over someone's head. Due to the number of arrests and the establishment's inability to maintain order, a disorderly house citation was issued. The case was resolved as he was found guilty and fined \$429.

Ald. Galvin had questions on the license stipulation plan. He wanted to know why the police department signed off on the plan, when the applicant marked "not applicable" on a section on the application. The section states "Licensee shall utilize a functioning ID scanning device that checks each ID of each person entering the premises and records the time and date each time an id is scanned."

Ald. Galvin also noted the applicant marked "refused" on the section on the application that states the employee of a licensed establishment is prohibited from being under the influence.

He was concerned this has gone forward to the committee without agreeing to the standard stipulations. Florence noted that it is possibly a training issue and this will be brought to the officer's attention.

Ald. Scannell asked if there could be other reasons why the applicants marked not applicable, for example, they already had the scanner. Ald. Galvin stated the reason behind it is to use it as the means to see if ids are scanned and search data if necessary.

Ald. Galvin, stated the basis of running a good business is that the employees including yourself, would not be intoxicated. In past occurrences where issues have arisen they found it to be due to alcohol.

Ald. Galvin gave the example of Vicenzi's where the police department recommended denial, but the Council granted the license. It ended up being a drain on community resources. He was hesitant endorsing someone with his record as it is hard to take away a license once approved.

Ald. Tom De Wane noted this person still runs an establishment and since 2014 has not had any incidents.

Asst City Attorney Kristen Johnson clarified that this would be a new liquor license and he currently runs another establishment on Bodart Street.

Ald. De Wane states Vince wants to run this tavern as a more upscale establishment. The owner has not had any problems since 2014. The owner understood he was going to lose his license if he did not take care of the problems. Ald. De Wane got to know him and has defended him. Ald. Dewane let him know that he put his name on the line and since then there hasn't been one issue. He now clearly understands he has to have to appropriate staffing and the backing.

Motion by Ald. Zima to open the floor, seconded by Ald. Dorff. Motion carried.

Andy Calhoun 2512 Van Beek Rd. of Green Bay, WI

Andy Calhoun noted Vince apologized, but could not be there due to a wedding in Mexico. Calhoun will be a bartender at the new establishment and could not speak on the past incidents.

Calhoun said Vince purchased the building in June next to Kirby Vacuums. Vince has invested in making it a nice upscale establishment, which will be called "Old School."

The establishment will play music from the 60's, 70's and 80's as well as feature classic drinks. They are aiming for an older clientele base.

Ald. Scannell asked why it was marked not applicable for an id scanner device on the application. Calhoun said there is an id scanner on premise as well as a camera system in place.

Calhoun's previously worked BB's Bar for 3 years and was the owner of Liquid 8. Both Vince and Calhoun lived through the 2013 issues and have moved past those days.

Ald. Zima asked if it would be acceptable to place this on hold until the next meeting, which Calhoun agreed.

Motion made by Ald. Zima, seconded by Ald. Dorff to return to order. Motion carried.

Ald. Scannell added when he first was elected and placed on this committee, he remembers discussing the 2013 incident. At that time, there were a lot of problems happening in the downtown area with our bar establishments. Through the proceedings, Council felt it was a terrible incident, but it happened due to miscommunications and with no intent to harm. He noted the license was not taken at that time.

Ald. Mark Steuer, who served on the P&W Committee in 2013, remembered the contention that went on with it. He had worked with Vince and felt he was apologetic. Since then, he has been much better and Vince has went out of his way to try to make it better. The situation was looked at, listened to, and he was allowed to keep his license.

Ald. De Wane noted in 2013 he not only kept his license, but it was also renewed in 14, 15 and 16. Ald. De Wane said it has been a different scenery in the three years. Vince now understands and it has only gotten better because of the process. It makes a big difference when your livelihood is on attack. He upgraded his ID scanner and had his front staff check for IDs. What happened was not good, but what happened because of it was better.

Ald. Zima stated that the question before the committee is if we want to grant a second license for someone who has had issues in the past? Ald. Zima noted the owner hasn't had his license rejected for three straight years. He also hasn't been brought before the committee again or has had any noteworthy issues since the 2013 incident. The only question is if the gentleman can keep order in two places. Was the only reason he had issues was because of the music he allowed in? Ald. Zima said it could be the case as it has happened to other bars.

Motion by Ald. Dorff, seconded by Ald. Zima to hold the decision until next meeting.

Ald. Gavin asked that the Police Department compile a list of his past violations. Ald. Galvin also agreed to hold the decision until next meeting, but believes it should be denied since he didn't fill out his application correctly. Also, he noted the committee has discussed in past meetings about liquor establishments being a drain on our society and our neighborhoods, and this individual has ran an establishment that has been a direct drain in our community. Ald. Galvin feels that the music can't be blamed, but rather the person that runs the business.

Ald. Zima wanted the police department to look into any phone calls for service since Jan. 2013 and add it to the report. He noted that the committee did make a stipulation and has granted a renewal license three times. The only question is will he be able to manage two places?

Asst City Attorney Johnson noted this is a new license and the location falls within one of the moratoriums. It would need a $\frac{3}{4}$ vote from City Council.

Motion to hold carries.

Motion made by Ald. Zima, seconded by Ald. Dorff to adjourn.

Motion carried.

Meeting adjourned at 3:40 p.m.